

Electron/EXT(1)/#9  
7.3.03



<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>	<i>Application Number</i>	09/910,059
	<i>Filing Date</i>	July 23, 2001
	<i>First Named Inventor</i>	Clive Graham Copley
	<i>Group Art Unit</i>	1642
	<i>Examiner Name</i>	Larry R. Helms
	<i>Attorney Docket Number</i>	1991-209
<i>Title of the Invention:</i> MONOCLONAL ANTIBODY TO CEA, CONJUGATES COMPRISING SAID ANTIBODY, AND THEIR THERAPEUTIC USE IN AN ADEPT SYSTEM		

## RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In an Office Action dated April 25, 2003, the Examiner divided the claims of the above-referenced patent application into the following groups:

Group I: claims 8-9, 10, in part, 16-17, 18-19, in part and 20-22, drawn to a polynucleotide, host cell, method of making a conjugate in a host cell, and vector. The Examiner stated that if group I is elected, claims 10, 18-19 will be examined such that the method of making is in a host cell and claim 10 is a host cell;


Group II: claims 10 and 18 in part, drawn to a transgenic non-human or transgenic plant; and

Group III: claims 14 and 19, drawn to a method of making an antibody or conjugate in a transgenic non-human or transgenic plant.

In response, Applicants hereby elect, with traverse, the claims of Group I, i.e., claims 8-9, 10, in part, 16-17, 18-19, in part and 20-22, for initial prosecution on the merits. In traversing the Requirement, Applicants assert that there would not be a

RECEIVED  
JUN 30 2003  
TECH CENTER 1600/1605

serious burden on the Examiner if restriction were not made. A search of the prior art with regard to any one of the groups will reveal whether prior art exists as to the other two groups, as all of the groups are interrelated by their recitation of the claimed sequences. Applicants also respectfully remind the Examiner that when he vacated the previously issued restriction requirement, he indicated that the presently pending claims are indeed directed to a single invention. Applicants now respectfully request that the Examiner again reconsider and withdraw the restriction requirement and proceed to examine all pending claims together.

RESPECTFULLY SUBMITTED,					
NAME AND REG. NUMBER	Patrick T. Skacel, Reg. No. 47,948				
SIGNATURE				DATE	June 25, 2003
Address	Rothwell, Figg, Ernst & Manbeck Suite 800, 1425 K Street, N.W.				
City	Washington	State	D.C.	Zip Code	20005
Country	U.S.A.	Telephone	202-783-6040	Fax	202-783-6031